

From: [ANDERSON Jim M](#)
To: [Jane Harris](#)
Cc: [OMEALY Mikell](#); [MCCLINCY Matt](#); [Chip Humphrey/R10/USEPA/US@EPA](#)
Subject: RE: News for you
Date: 08/01/2006 02:19 PM

Jane,

Once the final results for all the metals are in, I'll forward them to you. Members of DEQ's Cleanup Program project team (Mike Romero, Dana Bayuk, & me) will conduct a site visit at the Schnitzer site Thurs 8/3. I've invited Chip Humphrey from EPA to attend the 8/3 site visit & I understand he will participate if his schedule allows. After we conduct the site visit, evaluate the lab results from water sample, & talk to DEQ's Water Quality Program (program in DEQ in charge of the stormwater permit)..., we will decide whether to conduct a surprise water quality inspection. Jane, as I said in my 7/27 e-mail to you, if we conduct a inspection in the fall during the rainy season, we will consider sampling the pond at that time.

James M. Anderson
DEQ Northwest Region
Portland Harbor Section
Phone (503) 229-6825
Fax (503) 229-6899

-----Original Message-----

From: Jane Harris [mailto:jane@gorgefriends.org]
Sent: Tuesday, August 01, 2006 10:34 AM
To: ANDERSON Jim M
Subject: RE: News for you

Many thanks. If you could describe a final plan for further action by the agency once the mercury results are in, I would appreciate it.

Jane Harris
Oregon Center for Environmental Health

From: ANDERSON Jim M [mailto:ANDERSON.Jim@deq.state.or.us]
Sent: Monday, July 31, 2006 4:04 PM
To: Jane Harris
Subject: RE: News for you

Jane,

I've asked Mikell to get you a hard copy of Schnitzer's NPDES permit. I'll get you the lab results (including mercury) as soon as they're finalized..., which I expect will be this week.

James M. Anderson
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-----Original Message-----

From: Jane Harris [mailto:jane@gorgefriends.org]
Sent: Monday, July 31, 2006 2:13 PM
To: ANDERSON Jim M
Subject: RE: News for you

Jim,

If you could send me a copy of Schnitzer's current NPDES permit, I would appreciate it. Electronically is fine. And I appreciate DEQ following up with a surprise inspection and taking this report seriously. I would think the mercury results would be in and then you could move forward on this complaint. This employee is willing to be identified and swear to his report that he captured that water sample as it flowed into the river.

Jane Harris

From: ANDERSON Jim M [mailto:ANDERSON.Jim@deq.state.or.us]
Sent: Thursday, July 27, 2006 4:42 PM
To: Jane Harris
Cc: MCCLINCY Matt; OMEALY Mikell
Subject: RE: News for you

Jane,

I understood that the Schnitzer employee said he noticed overflow (or discharge) from the pond occurring only several times over the year..., in other words a sporadic event. If these overflows are limited in duration (i.e., occur over a relatively short time period), it would be difficult for the employee to notify us, & then for DEQ to be able to get to the site & collect a sample during the overflow event. However, I don't think sampling the overflow itself is absolutely critical. If we have evidence that the pond overflows, then I think sampling the pond water would give us a good idea of the contaminant concentrations in an overflow stream. If we conduct a surprise inspection in the fall during the rainy season, we will consider sampling the pond.

We don't have an electronic version of Schnitzer industrial stormwater 1200Z general permit. I can make you a copy of the hard copy in the file, or you can review the boiler plate 1200Z permit at this web site.

<http://www.deq.state.or.us/wq/wqpermit/stormwaterfeestable.htm>

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-----Original Message-----

From: Jane Harris [mailto:jane@gorgefriends.org]
Sent: Monday, July 24, 2006 5:27 PM
To: ANDERSON Jim M
Subject: RE: News for you

That's why surprise inspections are so important. How do you see DEQ getting samples of illegal dumping unless you go there from time to time unannounced? Could you get me a copy or direct me to the site where I can get a copy of their storm water discharge permit?

Jane Harris
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Jane@gorgefriends.org
www.gorgefriends.org

From: ANDERSON Jim M [mailto:ANDERSON.Jim@deq.state.or.us]
Sent: Monday, July 24, 2006 5:07 PM
To: Jane Harris
Cc: MCCLINCY Matt; OMEALY Mikell
Subject: RE: News for you

Jane,
Thanks for your reply.

I wouldn't characterize it as a "serious lead problem". DEQ's 1200Z General Permit for Industrial Stormwater has a benchmark of 0.4mg/L for total lead, which is greater than 0.177mg/L detected in the water sample. Remember that while the federal drinking water maximum contaminant level for lead is 0.015mg/L, that a concentration that is supposed to be met at the tap after treatment. I will get you the final results & the results from the mercury analysis when they come to me.

You asked "what type of action can be taken against Schnitzer for dumping lead & possibly mercury directly into the river". If DEQ determined that Schnitzer was discharging contaminants to the river without a permit, DEQ could issue a violation for discharge without a permit. Any violation DEQ imposed on a party would very likely need to result from DEQ sampling the waste stream.

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-----Original Message-----

From: Jane Harris [mailto:jane@gorgefriends.org]
Sent: Monday, July 24, 2006 4:41 PM
To: ANDERSON Jim M
Subject: RE: News for you

Thanks, Jim. Looks like there is a serious lead problem. Please let me know when you get the mercury results. I am also encouraged that you are taking a closer look at the site and planning a surprise visit. I will relay this information to my informant and ask him to keep me apprised of day to day operations. What type of action can be taken against Schnitzer for dumping lead and possibly mercury directly into the river?

Jane Harris
Director of Development

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From: ANDERSON Jim M [mailto:ANDERSON.Jim@deq.state.or.us]
Sent: Friday, July 21, 2006 1:25 PM
To: Jane Harris; (b) (6); pdxharborcag@onenw.org
Cc: humphrey.chip@epa.gov; OMEALY Mikell; MCCLINCY Matt
Subject: RE: News for you

Jane,

I wanted to get back to you on the water quality issue at the Schnitzer Blast Media site. I brought some information for you to the 7/12 CAG meeting, but unfortunately you weren't there..., summer's a busy time. At the 6/14 CAG meeting I said I'd do 3 things:

- 1) Accept the water sample the Schnitzer employee collected, have it analyzed for metals, & share the results with the CAG.
- 2) Talk to DEQ's Water Quality Program about conducting a surprise inspection.
- 3) Describe the protocol/process that citizens could follow to submit complaints to DEQ & have samples analyzed.

Here's where we are on the 3 issues:

1) Accept the water sample the Schnitzer employee collected, have it analyzed for metals, & share the results with the CAG.

The preliminary analytical results from the water sample are attached to this e-mail. The mercury analysis has not yet been completed. When I receive the final results for all the metals, I'll pass them on to you. We have preliminary results for 7 of the 8 metals analyzed. 6 of the 7 metals were not detected. Lead was detected at an estimated (prelimin) concentration of 0.177mg/L (or ppm). We consider a background concentration for lead in water to be about 0.013mg/L. The federal drinking water maximum contaminant concentration for lead is 0.015mg/L.

2) Talk to DEQ's Water Quality Program about conducting a surprise inspection.

The Schnitzer site has a 1200Z industrial general stormwater permit. I talked to DEQ's Water Quality Program, & they said they have the authority to conduct a surprise inspection, but they said a surprise inspection would be better timed by waiting for the fall rain season to begin. I scheduled a site visit for DEQ's Schnitzer project team in early-8/06. The purpose of the site visit is for us to get a better understanding of site operations, layout & waste management. I'll make sure we visit the pond near the shredder where the water sample was collected. I'm trying to coordinate the site visit to include Chip at EPA. I'll discuss the results of the site visit with you & keep you posted with respect to a possible surprise Water Quality inspection.

3) Describe the protocol/process that citizens could follow to submit complaints to DEQ & have samples analyzed.

The DEQ Northwest Region complaint phone # is (503) 229-5393.

If a call is not answered directly, a caller should expect a phone call back the same day or the following business day at the latest. If you leave a message, please leave your name, phone number, your address, the address related to the complaint, the county and the concern you are calling about.

The party calling should have as much info as possible, (i.e., who, what, where and when). Expect the DEQ complaint specialist to ask a lot of questions. This will better enable the complaint specialist to coordinate with the appropriate DEQ staff or program. Also, DEQ resources are limited, and we team up with other government agencies (e.g., City, County and State). Depending on the specifics of the complaint, it may be referred to another agency for follow up.

As a matter of policy, DEQ Complaints Program will not take samples collected by 3rd parties for DEQ analysis. If a party has collected a sample and want it tested, they should expect to pay for their own testing.

Requests for surprise compliance inspections or for DEQ to collect samples will be handled on a case-by-case basis. These decisions are made by DEQ program managers in consultation with the complaints specialist.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Jane & Robin,
I'm not sure I addressed this e-mail to the CAG list serve, so if I didn't, I'd appreciate if you'd forward it to the CAG.

Thanks

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